

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA	)	
	)	No.
v.	)	
	)	Violations: Title 18, United
GREGORY CHESTER,	)	States Code, Sections 1959(a),
a/k/a "Bowlegs," "Big Homie," "Pops,"	)	1962(d), and 924(c)(1)(A)
and "Desjuar Anderson,"	)	
ARNOLD COUNCIL,	)	<u>INDICTMENT</u>
a/k/a "Armstrong," and "Hobo,"	)	
PARIS POE,	)	
a/k/a "Poleroski,"	)	
GABRIEL BUSH,	)	
a/k/a "Louie,"	)	
STANLEY VAUGHN,	)	
a/k/a "Smiley,"	)	
WILLIAM FORD,	)	
a/k/a "Joe Buck,"	)	
GARY CHESTER,	)	
a/k/a "Chee,"	)	
BYRON BROWN,	)	
a/k/a "B-Rupt," and	)	
RODNEY JONES,	)	
a/k/a "Milk"	)	

COUNT ONE

The SPECIAL JANUARY 2012 GRAND JURY charges:

THE RACKETEERING ENTERPRISE

At times material to this Indictment:

1. There existed a criminal organization, that is, a group of individuals consisting of defendants GREGORY CHESTER, a/k/a "Bowlegs," "Big Homie," "Pops," and "Desjuar Anderson," ARNOLD COUNCIL, a/k/a "Armstrong," and "Hobo," PARIS POE, a/k/a "Poleroski," GABRIEL BUSH, a/k/a "Louie," STANLEY

VAUGHN, a/k/a “Smiley,” WILLIAM FORD, a/k/a “Joe Buck,” GARY CHESTER, a/k/a “Chee,” BYRON BROWN, a/k/a “B-Rupt,” RODNEY JONES, a/k/a “Milk,” Brandon Brown (now deceased), and others known and unknown to the Grand Jury that was known as the Hobos.

2. This criminal organization, including its leadership, membership, and associates, constituted an “enterprise” as that term is used in Title 18, United States Code, Section 1961(4) (hereinafter, the “Hobos Enterprise”), that is, a group of individuals associated in fact, which enterprise engaged in, and the activities of which affected, interstate and foreign commerce.

3. The Hobos Enterprise constituted an ongoing organization whose members functioned as a continuing unit for a common purpose of achieving the objectives of the enterprise.

PURPOSES OF THE ENTERPRISE

4. The purposes of the Hobos Enterprise included, but were not limited to, the following:

a. Enriching the leaders, members, and associates of the enterprise through the use of threats, intimidation, and violence, including, but not limited to, acts of murder, robbery, and the illegal trafficking of controlled substances;

b. Promoting and enhancing the enterprise and its members’ and associates’ activities;

c. Preserving and protecting the power, territory, operations, and proceeds of the enterprise through the use of threats, intimidation, destruction of

property, and violence, including, but not limited to, acts of murder, attempted murder, assault with a dangerous weapon, and other acts of violence;

d. Keeping victims and witnesses in fear of the enterprise and in fear of its leaders, members, and associates through acts and threats of violence; and

e. Taking steps designed to prevent law enforcement's detection of the enterprise's criminal activities.

ROLES IN THE ENTERPRISE

5. At times material to this indictment:

a. GREGORY CHESTER, a/k/a "Bowlegs," "Big Homie," "Pops," and "Desjuar Anderson," was a leader of the Hobos Enterprise and, in that role, CHESTER oversaw, directed, guided, and participated in the illegal activities of the enterprise, including, but not limited to, murder, solicitation to commit murder, robbery, and the illegal trafficking of controlled substances;

b. ARNOLD COUNCIL, a/k/a "Armstrong," and "Hobo," served the Hobos Enterprise by, among other things, directing and participating in the illegal activities of the enterprise, including, but not limited to, murder, attempted murder, armed robbery, robbery, and the illegal trafficking of controlled substances;

c. PARIS POE, a/k/a "Poleroski," served the Hobos Enterprise by, among other things, directing and participating in the illegal activities of the enterprise, including, but not limited to, murder, attempted murder, armed robbery, robbery, and the illegal trafficking of controlled substances;

d. GABRIEL BUSH, a/k/a “Louie,” served the Hobos Enterprise by, among other things, directing and participating in the illegal activities of the enterprise, including, but not limited to, murder, attempted murder, armed robbery, robbery, and the illegal trafficking of controlled substances;

e. STANLEY VAUGHN, a/k/a “Smiley,” served the Hobos Enterprise by, among other things, directing and participating in the illegal activities of the enterprise, including, but not limited to, attempted murder and the illegal trafficking of controlled substances;

f. WILLIAM FORD, a/k/a “Joe Buck,” served the Hobos Enterprise by, among other things, participating in the illegal activities of the enterprise, including, but not limited to, attempted murder, and the illegal trafficking of controlled substances;

g. GARY CHESTER, a/k/a “Chee,” served the Hobos Enterprise by, among other things, participating in the illegal activities of the enterprise, including, but not limited to, armed robbery, robbery, and the illegal trafficking of controlled substances;

h. BYRON BROWN, a/k/a “B-Rupt,” served the Hobos Enterprise by, among other things, participating in the illegal activities of the enterprise, including, but not limited to, murder, attempted murder, armed robbery, robbery, and the illegal trafficking of controlled substances; and

i. RODNEY JONES, a/k/a “Milk,” served the Hobos Enterprise by, among other things, participating in the illegal activities of the enterprise,

including, but not limited to, murder, attempted murder, robbery, and the illegal trafficking of controlled substances.

RACKETEERING CONSPIRACY

6. Beginning no later than in or about 2004, and continuing until in or about 2009, in the Northern District of Illinois, Eastern Division, and elsewhere,

GREGORY CHESTER, a/k/a “Bowlegs,” “Big Homie,”
“Pops,” and “Desjuar Anderson,”
ARNOLD COUNCIL, a/k/a “Armstrong,” and “Hobo,”
PARIS POE, a/k/a “Polerowski,”
GABRIEL BUSH, a/k/a “Louie,”
STANLEY VAUGHN, a/k/a “Smiley,”
WILLIAM FORD, a/k/a “Joe Buck,”
GARY CHESTER, a/k/a “Chee,”
BYRON BROWN, a/k/a “B-Rupt,” and
RODNEY JONES, a/k/a “Milk,”

defendants herein, Brandon Brown (now deceased), and others known and unknown to the Grand Jury, being persons employed by and associated with the enterprise, which engaged in, and the activities of which affected, interstate and foreign commerce, knowingly conspired to violate Title 18, United States Code, Section 1962(c), that is, to conduct and participate, directly and indirectly, in the conduct of the affairs of that enterprise through a pattern of racketeering activity consisting of multiple acts indictable under the following provisions of federal law:

- a. The illegal trafficking of controlled substances, in violation of Title 21, United States Code, Sections 841(a)(1) and 846;
- b. Robbery, as well as attempted robbery and conspiracy to commit robbery, in violation of Title 18, United States Code, Section 1951; and

c. multiple acts involving offenses chargeable under the following provisions of state law:

i. Murder, in violation of Title 720, Illinois Compiled Statutes, Sections 5/5-1, 5/5-2, 5/8-2, 5/8-4, 5/9-1, and 5/9-2; and

ii. Robbery, in violation of Title 720, Illinois Compiled Statutes, Sections 5/5-1, 5/5-2, 5/8-4, 5/18-1, and 5/18-2.

7. It was further part of the conspiracy that each defendant agreed that a coconspirator would commit at least two acts of racketeering activity in the conduct of the affairs of the enterprise.

MEANS AND METHODS OF THE CONSPIRACY

8. It was further part of the conspiracy that the means and methods by which the defendants and their associates conducted and participated in the conduct of the affairs of the enterprise included the following:

a. Members of the enterprise and their associates employed and used gang-related terminology, symbols, and gestures, including the slogan “Hobo or Nothing,” and a hand sign known as the “Hobo Horns;”

b. To perpetuate the enterprise and to maintain and extend their power, members of the enterprise and their associates committed illegal acts, including murder, solicitation to commit murder, attempted murder, aggravated battery, and assault with a dangerous weapon against individuals who posed a threat to the enterprise or jeopardized its operations, including rival gang members and individuals suspected of cooperating with law enforcement;

c. Members of the enterprise and their associates shared in the proceeds of the enterprise's illegal activities, including, but not limited to, robberies and the illegal trafficking of controlled substances;

d. Members of the enterprise and their associates used multiple cellular telephones and disposable cellular telephones to communicate with one another concerning and during the commission of the enterprise's illegal activities;

e. Members of the enterprise and their associates obtained, used, carried, possessed, brandished, and discharged firearms in connection with the enterprise's illegal activities, including, but not limited to, murder, robbery, and the illegal trafficking of controlled substances;

f. Members of the enterprise and their associates managed the procurement, transfer, use, concealment, and disposal of firearms and dangerous weapons within the enterprise to protect their territory, personnel, and operations, and to deter, eliminate, and retaliate against competitors, rival criminal organizations and persons, and individuals suspected of cooperating with law enforcement;

g. Members of the enterprise and their associates concealed and hid, and caused to be concealed and hidden, the purposes of the acts done in furtherance of the enterprise, and used coded language, surveillance, and counter-surveillance techniques, and other means to avoid detection and apprehension by law enforcement and otherwise to provide security to members and associates of the enterprise;

h. Members of the enterprise and their associates monitored law enforcement radio frequencies and acquired radio equipment and monitors to do so, in order to detect and avoid law enforcement inquiry into their illegal activities;

i. Members of the enterprise and their associates had nominees obtain rental vehicles for the purpose of concealing members' and associates' use of those vehicles during the commission of the enterprise's illegal activities;

j. Members of the enterprise and their associates identified victims from whom they could obtain distribution quantities of controlled substances or large sums of money by robbing them;

k. Members of the enterprise and their associates conducted surveillance of intended murder and robbery victims, a practice referred to as "lamping" and "doing homework;"

l. Members of the enterprise and their associates restrained and murdered victims and witnesses to prevent their escape, and to prevent identification of the members of the enterprise and their associates;

m. Members of the enterprise and their associates used threats of violence, violence, and intimidation to cause victims and witnesses to not report the Hobos' criminal acts to law enforcement;

n. Members of the enterprise and their associates conspired to distribute, distributed, and caused to be distributed quantities of controlled substances in and around Chicago, Illinois, and elsewhere, that the members of the

enterprise and their associates obtained through, among other means, robberies, threats of violence, violence, and intimidation;

o. Members of the enterprise and their associates had locations in Chicago, referred to as “drug spots” and “drug lines,” where members of the enterprise and their associates managed the illegal distribution of user quantities of controlled substances, at times using nicknames to identify their controlled substances, and which locations included, but were not limited to, the following:

i. The building and area located at 4429 South Federal, Chicago, Illinois, within the Robert Taylor Homes public housing project, which was controlled and managed by GREGORY CHESTER and ARNOLD COUNCIL, and operated by others known and unknown to the Grand Jury, where the controlled substances were sold under the nicknames “Green Monster” and “Pink Panther;”

ii. The area around 47th Street and Vincennes Avenue in Chicago, Illinois, which was controlled and managed by GABRIEL BUSH and STANLEY VAUGHN, and operated by WILLIAM FORD and others known and unknown to the Grand Jury;

iii. The area around 51st Street and Calumet Avenue in Chicago, Illinois, which was managed and operated by BYRON BROWN, RODNEY JONES, and Brandon Brown (now deceased), as well as others known and unknown to the Grand Jury; and

iv. The area around 51st Street and Martin Luther King Drive in Chicago, Illinois, which was controlled and managed by GABRIEL BUSH, and operated by others known and unknown to the Grand Jury;

p. Members of the enterprise and their associates earned money for their members and financed their activities using funds obtained by the illegal trafficking of controlled substances, including the distribution of and possession with intent to distribute marijuana, cocaine, cocaine base, and heroin;

q. Members of the enterprise and their associates possessed and distributed controlled substances in the conduct of the affairs of the enterprise;

r. The murders committed by members and associates of the enterprise in the conduct of the affairs of the enterprise include, but are not limited to, the following:

i. The murder of Wilbert Moore by ARNOLD COUNCIL and PARIS POE on or about January 19, 2006;

ii. The murder of Terrance Anderson by GABRIEL BUSH and others known to the Grand Jury on or about September 1, 2007;

iii. The murder of Eddie Moss by BYRON BROWN and others known to the Grand Jury on or about December 14, 2007;

iv. The murder of Larry Tucker by GABRIEL BUSH, BYRON BROWN, Brandon Brown (now deceased), and others known to the Grand Jury on or about January 20, 2008; and

v. The murder of Kenneth Mosby by BYRON BROWN and others known to the Grand Jury on or about May 12, 2008;

s. The attempted murders committed by members and associates of the Hobos Enterprise in the conduct of the affairs of the enterprise include, but are not limited to, the following:

i. The attempted murder of Victim 1 by ARNOLD COUNCIL and PARIS POE on or about June 11, 2006;

ii. The attempted murder of Victim 2 and Victim 3 by GABRIEL BUSH and WILLIAM FORD on or about June 5, 2007;

iii. The attempted murder of Victim 4 by GABRIEL BUSH and STANLEY VAUGHN on or about June 27, 2007; and

iv. The attempted murder of Victim 5 by RODNEY JONES on or about November 5, 2007;

t. The solicitations to commit murders committed by members and associates of the Hobos Enterprise in the conduct of the affairs of the enterprise include, but are not limited to, the solicitation to commit the murder of Antonio Bluitt by GREGORY CHESTER, which murder occurred on or about September 2, 2007;

u. The robberies committed by members and associates of the Hobos Enterprise in the conduct of the affairs of the enterprise include, but are not limited to, the following:

- i. The robbery of Victim 1 by ARNOLD COUNCIL and PARIS POE on or about June 11, 2006;
- ii. The robbery of the Collections Clothing Store by ARNOLD COUNCIL and others known to the Grand Jury on or about November 8, 2008; and
- iii. The robbery of Victim 6 and Victim 7 by PARIS POE, GARY CHESTER, and others known and unknown to the Grand Jury on or about March 25, 2009;

In violation of Title 18, United States Code, Section 1962(d).

**NOTICE OF SPECIAL FINDINGS AND ENHANCED SENTENCING
AS TO THE RACKETEERING CONSPIRACY**

The Murder of Wilbert Moore by ARNOLD COUNCIL and PARIS POE

1. On or about January 19, 2006, at Chicago, in the Northern District of Illinois, Eastern Division, defendants ARNOLD COUNCIL and PARIS POE committed and caused to be committed the murder of Wilbert Moore. By the conduct described in this paragraph, COUNCIL and POE committed an act and threat involving murder, in violation of Title 720, Illinois Compiled Statutes, Sections 5/5-1, 5/5-2, 5/9-1(a), 5/9-1(b)(8), and 5/9-1(b)(11), and Title 30, Illinois Compiled Statutes, Section 5/5-8-1(a)(1)(b), in that COUNCIL and POE killed an individual, namely, Wilbert Moore, without lawful justification, and in performing the acts which caused the death, COUNCIL and POE: (i) intended to kill and do great bodily harm to that individual; (ii) knew that such acts would cause death to that individual; (iii) knew that such acts created a strong probability of death and great bodily harm to that individual; and

a. At the time of the commission of the offense, ARNOLD COUNCIL and PARIS POE had attained the age of 18 or more; and

i. COUNCIL and POE committed the murder with intent to prevent the murdered individual from testifying in any criminal prosecution and giving material assistance to the State in any investigation or prosecution, against COUNCIL, and they committed the murder because the murdered individual gave material assistance to the State in an investigation against COUNCIL;

ii. COUNCIL and POE committed the murder in a cold, calculated, and premeditated manner pursuant to a preconceived plan, scheme and design to take a human life by unlawful means, and the conduct of the defendants created a reasonable expectation that the death of a human being would result therefrom;

b. The murder was accompanied by exceptionally brutal and heinous behavior indicative of wanton cruelty; and

c. During the commission of the offense, PARIS POE personally discharged a firearm that proximately caused: (i) great bodily harm to another person; and (ii) death to another person.

The Murder of Terrance Anderson by GABRIEL BUSH

2. On or about September 1, 2007, at Chicago, in the Northern District of Illinois, Eastern Division, defendant GABRIEL BUSH and others known and unknown to the Grand Jury committed and caused to be committed the murder of Terrance Anderson. By the conduct described in this paragraph, BUSH committed

an act and threat involving murder, in violation of Title 720, Illinois Compiled Statutes, Sections 5/5-1, 5/5-2, 5/9-1(a), and 5/9-1(b)(11), in that BUSH killed an individual, namely, Terrance Anderson, without lawful justification, and in performing the acts which caused the death, BUSH: (i) intended to kill and do great bodily harm to that individual; (ii) knew that such acts would cause death to that individual; (iii) knew that such acts created a strong probability of death and great bodily harm to that individual; and

a. At the time of the commission of the offense, GABRIEL BUSH had attained the age of 18 or more, and BUSH committed the murder in a cold, calculated, and premeditated manner pursuant to a preconceived plan, scheme and design to take a human life by unlawful means, and the conduct of the defendants created a reasonable expectation that the death of a human being would result therefrom; and

b. During the commission of the offense, GABRIEL BUSH personally discharged a firearm that proximately caused: (i) great bodily harm to another person; and (ii) death to another person.

The Murder of Eddie Moss by BYRON BROWN

3. On or about December 14, 2007, at Chicago, in the Northern District of Illinois, BYRON BROWN committed and caused to be committed, the murder of Eddie Moss. By the conduct described in this paragraph, BYRON BROWN committed an act and threat involving murder, in violation of Title 720, Illinois Compiled Statutes, Sections 5/5-1, 5/5-2, and 5/9-1(a), and Title 730, Illinois

Compiled Statutes, Sections 5/5-8-1(b) and 5/5-8-1(d)(iii), in that BYRON BROWN killed an individual, that is, Eddie Moss, without lawful justification and, in performing the acts which caused the death, BYRON BROWN (i) intended to kill that individual; (ii) intended to do great bodily harm to that individual; (iii) knew such acts would cause the death of that individual; and (iv) knew such acts created a strong probability of death and great bodily harm to that individual; and

a. The murder was accompanied by exceptionally brutal and heinous behavior indicative of wanton cruelty; and

b. During the commission of the offense, BYRON BROWN personally discharged a firearm that proximately caused: (i) great bodily harm to another person; and (ii) death to another person.

The Murder of Kenneth Mosby by BYRON BROWN

4. On or about May 12, 2008, at Chicago, in the Northern District of Illinois, BYRON BROWN committed and caused to be committed the murder of Kenneth Mosby. By the conduct described in this paragraph, BYRON BROWN committed an act and threat involving murder, in violation of Title 720, Illinois Compiled Statutes, Sections 5/5-1, 5/5-2, and 5/9-1(a), and Title 730, Illinois Compiled Statutes, Sections 5/5-8-1(b) and 5/5-8-1(d)(iii), in that BYRON BROWN killed an individual, that is, Kenneth Mosby, without lawful justification and, in performing the acts which caused the death, BYRON BROWN (i) intended to kill that individual; (ii) intended to do great bodily harm to that individual; (iii) knew

such acts would cause the death of that individual; and (iv) knew such acts created a strong probability of death and great bodily harm to that individual; and

a. During the commission of the offense, BYRON BROWN personally discharged a firearm that proximately caused: (i) great bodily harm to another person; and (ii) death to another person.

The Attempted Murder of Victim 2 and Victim 3 by GABRIEL BUSH and WILLIAM FORD

5. On or about June 5, 2007, at Chicago, in the Northern District of Illinois, Eastern Division, defendants GABRIEL BUSH and WILLIAM FORD attempted to commit the murder of Victim 2 and Victim 3. By the conduct described in this paragraph, BUSH and FORD committed an act and threat involving murder, in violation of Title 720, Illinois Compiled Statutes, Sections 5/5-1, 5/5-2, 5/8-4(a), 5/8-4(c)(1)(D), and 5/9-1(a), in that BUSH and FORD, with the intent to commit first-degree murder, did an act that constituted a substantial step toward the commission of first-degree murder; and

a. Defendant GABRIEL BUSH personally discharged a firearm that proximately caused: (i) great bodily harm to another person; and (ii) permanent disfigurement to another person, namely, Victim 2 and Victim 3.

The Attempted Murder of Victim 4 by GABRIEL BUSH and STANLEY VAUGHN

6. On or about June 27, 2007, at Chicago, in the Northern District of Illinois, Eastern Division, defendant GABRIEL BUSH and STANLEY VAUGHN attempted to murder Victim 4. By the conduct described in this paragraph, BUSH

and VAUGHN committed an act and threat involving murder, in violation of Title 720, Illinois Compiled Statutes, Sections 5/5-1, 5/5-2, 5/8-4(a), 5/8-4(c)(1)(D), and 5/9-1(a), in that they, with the intent to commit first-degree murder, did an act that constituted a substantial step toward the commission of first-degree murder; and

a. Defendant GABRIEL BUSH personally discharged a firearm that proximately caused great bodily harm to Victim 4.

The Attempted Murder of Victim 5 by RODNEY JONES

7. On or about November 5, 2007, at Chicago, in the Northern District of Illinois, Eastern Division, defendant RODNEY JONES attempted to murder Victim 5. By the conduct described in this paragraph, JONES committed an act and threat involving murder, in violation of Title 720, Illinois Compiled Statutes, Sections 5/5-1, 5/5-2, 5/8-4(a), 5/8-4(c)(1)(D), and 5/9-1(a), in that he, with the intent to commit first-degree murder, did an act that constituted a substantial step toward the commission of first-degree murder; and

a. Defendant RODNEY JONES personally discharged a firearm that proximately caused great bodily harm to Victim 5.

COUNT TWO

The SPECIAL JANUARY 2012 GRAND JURY further charges:

1. Paragraphs One through Four of Count One are incorporated here.
2. At times relevant to this Indictment, the Hobos Enterprise constituted an enterprise as defined in Title 18, United States Code, Section 1959(b)(2), namely, a group of individuals associated in fact although not a legal entity, which was engaged in, and the activities of which affected, interstate and foreign commerce.
3. At times relevant to this Indictment, the above-described enterprise, through its members and associates, engaged in racketeering activity as defined in Title 18, United States Code, Sections 1959(b)(1) and 1961(1), namely, acts involving the illegal distribution of controlled substances, in violation of Title 21, United States Code, Sections 841(a)(1) and 846; robbery, in violation of Title 18, United States Code, Section 1951, and in violation of Title 720, Illinois Compiled Statutes, Sections 5/5-1, 5/5-2, 5/8-4, 5/18-1, and 5/18-2; murder, in violation of Title 720, Illinois Compiled Statutes, Sections 5/5-1, 5/5-2, 5/8-2, 5/8-4, 5/9-1, and 5/9-2.
4. On or about January 19, 2006, at Chicago, in the Northern District of Illinois, Eastern Division,

PARIS POE, a/k/a "Poleroski," and
ARNOLD COUNCIL, a/k/a "Armstrong," and "Hobo,"

defendants herein, for the purpose of maintaining and increasing position in the Hobos Enterprise, an enterprise engaged in racketeering activity, did knowingly commit the murder of an individual, namely, Wilbert Moore, in violation of the laws

of the State of Illinois (Title 720, Illinois Compiled Statutes, Sections 5/9-1, 5/5-1, and 5/5-2);

In violation of Title 18, United States Code, Sections 1959(a)(1) and 2.

COUNT THREE

The SPECIAL JANUARY 2012 GRAND JURY further charges:

1. Paragraphs One through Three of Count Two are incorporated here.
2. On or about September 1, 2007, at Chicago, in the Northern District of Illinois, Eastern Division,

GABRIEL BUSH, a/k/a "Louie,"

defendant herein, for the purpose of maintaining and increasing position in the Hobos Enterprise, an enterprise engaged in racketeering activity, did knowingly commit the murder of an individual, that is, Terrance Anderson, in violation of the laws of the State of Illinois (Title 720, Illinois Compiled Statutes, Sections 5/9-1, 5/5-1, and 5/5-2);

In violation of Title 18, United States Code, Section 1959(a)(1).

COUNT FOUR

The SPECIAL JANUARY 2012 GRAND JURY further charges:

1. Paragraphs One through Three of Count Two are incorporated here.
2. On or about December 14, 2007, at Chicago, in the Northern District of Illinois, Eastern Division,

BYRON BROWN, a/k/a “B-Rupt,”

defendant herein, for the purpose of maintaining and increasing position in the Hobos Enterprise, an enterprise engaged in racketeering activity, did knowingly commit the murder of an individual, that is, Eddie Moss, in violation of the laws of the State of Illinois (Title 720, Illinois Compiled Statutes, Sections 5/9-1, 5/5-1, and 5/5-2);

In violation of Title 18, United States Code, Section 1959(a)(1).

COUNT FIVE

The SPECIAL JANUARY 2012 GRAND JURY further charges:

On or about November 8, 2008, at Chicago, in the Northern District of Illinois, Eastern Division,

ARNOLD COUNCIL, a/k/a “Armstrong,” and “Hobo,”

defendant herein, and others known to the Grand Jury, did use, carry and brandish a firearm, namely, a Smith & Wesson Sigma Model SW9VE nine-millimeter pistol bearing serial number PDN0967, and a Colt Series 70 .45 caliber semi-automatic pistol, during and in relation to a crime of violence for which defendant may be prosecuted in a court of the United States, namely, a robbery affecting commerce in violation of Title 18, United States Code, Section 1951(a);

In violation of Title 18, United States Code, Sections 924(c)(1)(A) and 2.

NOTICE OF SPECIAL FINDINGS

The SPECIAL JANUARY 2012 GRAND JURY further alleges:

1. The allegations set forth in Counts Two, Three, and Four of this Indictment are incorporated here.

2. As to Count Two of this Indictment, defendant ARNOLD COUNCIL, a/k/a “Armstrong,” and “Hobo;”

a. Was more than 18 years old at the time of the offense; Title 18, United States Code, Section 3591(a)(2);

b. Intentionally killed the victim; Title 18, United States Code, Section 3591(a)(2)(A);

c. Intentionally inflicted serious bodily injury that resulted in the death of the victim; Title 18, United States Code, Section 3591(a)(2)(B);

d. Intentionally participated in an act, contemplating that the life of a person would be taken or intending that lethal force would be used in connection with a person, other than one of the participants in the offense, and the victim died as a direct result of the act; Title 18, United States Code, Section 3591(a)(2)(C);

e. Intentionally and specifically engaged in an act of violence, knowing that the act created a grave risk of death to a person, other than one of the participants in the offense, such that participation in the act constituted a reckless disregard for human life and the victim died as a direct result of the act; Title 18, United States Code, Section 3591(a)(2)(D);

f. Committed the offense in an especially heinous, cruel and depraved manner in that it involved torture and serious physical abuse to the victim; Title 18, United States Code, Section 3592(c)(6);

g. Committed the offense after substantial planning and premeditation to cause the death of a person; Title 18, United States Code, Section 3592(c)(9); and

h. Had previously been convicted of violating title II or III of the Comprehensive Drug Abuse Prevention and Control Act of 1970 for which a sentence of five or more years may be imposed; Title 18, United States Code, Section 3592(c)(12).

3. As to Count Two of this Indictment, defendant PARIS POE, a/k/a “Poleroski”:

a. Was more than 18 years old at the time of the offense; Title 18, United States Code, Section 3591(a)(2);

b. Intentionally killed the victim; Title 18, United States Code, Section 3591(a)(2)(A);

c. Intentionally inflicted serious bodily injury that resulted in the death of the victim; Title 18, United States Code, Section 3591(a)(2)(B);

d. Intentionally participated in an act, contemplating that the life of a person would be taken or intending that lethal force would be used in connection with a person, other than one of the participants in the offense, and the

victim died as a direct result of the act; Title 18, United States Code, Section 3591(a)(2)(C);

e. Intentionally and specifically engaged in an act of violence, knowing that the act created a grave risk of death to a person, other than one of the participants in the offense, such that participation in the act constituted a reckless disregard for human life and the victim died as a direct result of the act; Title 18, United States Code, Section 3591(a)(2)(D);

f. Committed the offense in an especially heinous, cruel and depraved manner in that it involved torture and serious physical abuse to the victim; Title 18, United States Code, Section 3592(c)(6); and

g. Committed the offense after substantial planning and premeditation to cause the death of a person; Title 18, United States Code, Section 3592(c)(9).

4. As to Count Three of this Indictment, defendant GABRIEL BUSH, a/k/a “Louie;”

a. Was more than 18 years old at the time of the offense; Title 18, United States Code, Section 3591(a)(2);

b. Intentionally killed the victim; Title 18, United States Code, Section 3591(a)(2)(A);

c. Intentionally inflicted serious bodily injury that resulted in the death of the victim; Title 18, United States Code, Section 3591(a)(2)(B);

d. Intentionally participated in an act, contemplating that the life of a person would be taken or intending that lethal force would be used in connection with a person, other than one of the participants in the offense, and the victim died as a direct result of the act; Title 18, United States Code, Section 3591(a)(2)(C);

e. Intentionally and specifically engaged in an act of violence, knowing that the act created a grave risk of death to a person, other than one of the participants in the offense, such that participation in the act constituted a reckless disregard for human life and the victim died as a direct result of the act; Title 18, United States Code, Section 3591(a)(2)(D);

f. Has previously been convicted of a State offense punishable by a term of imprisonment of more than one year, involving the use, attempted, and threatened use of a firearm (as defined in section 921) against another person; Title 18, United States Code, Section 3592(c)(2);

g. In the commission of the offense, defendant knowingly created a grave risk of death to one or more persons in addition to the victim of the offense; Title 18, United States Code, Section 3592(c)(5); and

h. Committed the offense after substantial planning and premeditation to cause the death of a person; Title 18, United States Code, Section 3592(c)(9).

5. As to Count Four of this Indictment, defendant BYRON BROWN, a/k/a “B-Rupt:”

- a. Was more than 18 years old at the time of the offense; Title 18, United States Code, Section 3591(a)(2);
- b. Intentionally killed the victim; Title 18, United States Code, Section 3591(a)(2)(A);
- c. Intentionally inflicted serious bodily injury that resulted in the death of the victim; Title 18, United States Code, Section 3591(a)(2)(B);
- d. Intentionally participated in an act, contemplating that the life of a person would be taken or intending that lethal force would be used in connection with a person, other than one of the participants in the offense, and the victim died as a direct result of the act; Title 18, United States Code, Section 3591(a)(2)(C);
- e. Intentionally and specifically engaged in an act of violence, knowing that the act created a grave risk of death to a person, other than one of the participants in the offense, such that participation in the act constituted a reckless disregard for human life and the victim died as a direct result of the act; Title 18, United States Code, Section 3591(a)(2)(D);
- f. Committed the offense in an especially heinous, cruel and depraved manner in that it involved torture and serious physical abuse to the victim, Title 18, United States Code, Section 3592(c)(6); and
- g. Committed the offense after substantial planning and premeditation to cause the death of a person; Title 18, United States Code, Section 3592(c)(9).

FORFEITURE ALLEGATION

The SPECIAL JANUARY 2012 GRAND JURY further alleges:

1. The allegations of Count One of this Indictment are incorporated here for the purpose of alleging that certain property is subject to forfeiture to the United States, pursuant to Title 18, United States Code, Section 1963.

2. As a result of their violation of Title 18, United States Code, Section 1962(d), as alleged in the foregoing Indictment,

GREGORY CHESTER, a/k/a "Bowlegs," "Big Homie,"
"Pops," and "Desjuar Anderson,"
ARNOLD COUNCIL, a/k/a "Armstrong," and "Hobo,"
PARIS POE, a/k/a "Poleroski,"
GABRIEL BUSH, a/k/a "Louie,"
STANLEY VAUGHN, a/k/a "Smiley,"
WILLIAM FORD, a/k/a "Joe Buck,"
GARY CHESTER, a/k/a "Chee,"
BYRON BROWN, a/k/a "B-Rupt," and
RODNEY JONES, a/k/a "Milk,"

defendants herein, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 1963(a)(1), (a)(2), and (a)(3), any interest acquired or maintained in violation of Section 1962; any interest in, security of, claim against, or property or contractual right of any kind affording a source of influence over, any enterprise which the person has established, operated, controlled, conducted, or participated in the conduct of, in violation of Section 1962; and any property constituting, or derived from, any proceeds which the person obtained, directly or indirectly, from racketeering activity or unlawful debt collection in violation of Section 1962.

3. If any of the property described above as being subject to forfeiture pursuant to Title 18, United States Code, Section 1963(a)(1), (a)(2), and (a)(3), as a result of any act or omission of the defendants:

- a. Cannot be located upon the exercise of due diligence;
- b. Has been transferred to, sold to, or deposited with a third person;
- c. Has been placed beyond the jurisdiction of the Court;
- d. Has been substantially diminished in value;
- e. Has been commingled with other which cannot be subdivided without difficult;

it is the intent of the United States to seek forfeiture of substitute property belonging to the defendants under the provisions of Title 18, United States Code, Section 1963(m).

A TRUE BILL:

FOREPERSON

UNITED STATES ATTORNEY